

Before the
Administrative Hearing Commission
State of Missouri



L.I.F.E., INC.,

Petitioner,

vs.

DEPARTMENT OF SOCIAL SERVICES,
MISSOURI MEDICAID AUDIT AND
COMPLIANCE UNIT,

Respondent.

No. 13-1883 SP

DECISION

We grant the motion to dismiss filed by the Department of Social Services, Missouri Medicaid Audit and Compliance Unit (“the Department”) because the amount of reimbursement requested is less than \$500. We have no jurisdiction to hear the case.

Procedure

On October 28, 2013, L.I.F.E., Inc, (“L.I.F.E.”) a center for independent living, filed a complaint appealing the Department’s denial of its claim for reimbursement for services provided to certain clients at its facility. On November 6, 2013, the Department filed a motion to dismiss and suggestions in support. We make the following ruling.

Findings of Fact

1. L.I.F.E. is certified to participate in the Title XIX (Medicaid) program.

2. L.I.F.E billed the Medicaid program for performing services for patients D.K., M.M., T.T., and M.Y. in May and June of 2013.
3. The amount billed was for \$321.03.

Conclusions of Law

The Department argues that we do not have jurisdiction over this case because the amount in controversy is less than \$500. If we have no jurisdiction to hear the petition, we cannot reach the merits of the case and can only exercise our inherent power to dismiss.¹

Our jurisdiction in Medicaid cases is set forth in § 208.156.2,² which states:

Any person authorized under section 208.153 to provide services for which benefit payments are authorized under section 208.152 whose claim for reimbursement for such services is denied or is not acted upon with reasonable promptness shall be entitled to a hearing before the administrative hearing commission pursuant to the provisions of chapter 621, RSMo.

However, our jurisdiction is limited by § 208.156.6, which states:

6. No provider of service may file a petition for a hearing before the administrative hearing commission unless the amount for which he seeks reimbursement exceeds five hundred dollars.

The Department's evidence shows that the amount it seeks repayment of is \$321.03, an amount under \$500. Based solely on the record before us, we determine that L.I.F.E. sought reimbursement for an amount less than \$500.

This does not mean that L.I.F.E. has completely lost its right to appeal this claim; it just cannot pursue it at this time. Section 208.156.8 states that "claims of less than five hundred dollars may be accumulated until they total that sum and at which time the provider shall have ninety days to file his petition."

¹ *Oberreiter v. Fullbright Trucking*, 24 S.W.3d 727, 729 (Mo. App., E.D. 2000).

² Statutory references, unless otherwise noted, are to the 2000 Revised Statutes of Missouri.

Because the amount in controversy is less than \$500, we have no jurisdiction to hear L.I.F.E.'s appeal. We grant the motion to dismiss.

Summary

We dismiss this case because we do not have jurisdiction to hear it.

SO ORDERED on November 7, 2013.

\s\ Marvin O. Teer, Jr.

MARVIN O. TEER, JR.

Commissioner